IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

OP.No. 24194 of 2000(E)

PETITIONER:

K. SAROJINI,
DEPUTY TAHSILDAR (ELECTION),
TALUK OFFICE, UDUMBANCHOLA,
NEDUMKANDOM.

BY ADV. SRI.N.SUGATHAN,
ADV. SRI.S.SANTHOSH KUMAR.

RESPONDENTS:
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1. **THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE COMMISSIONER OF LAND REVENUE, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SMT. SUDHADEVI.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 29/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO. 40846/2000 IN O.P. NO. 24194/2000-E

DISMISSED

29/10/2007. **SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE JUDGMENT DT. 17/10/85 IN O.P. NO. 3367/81 OF THE HON. HIGH COURT OF KERALA.

EXT.P.2: COPY OF THE PROCEEDINGS NO. A1-33628/86 DT. 10/10/1986 OF THE DIST. COLLECTOR, IDUKKI.

EXT.P.3: RELEVANT EXTRACT OF STATEWISE FINAL SENIORITY LIST OF UDCs AS ON 09/09/84.

EXT.P.4: RELEVANT EXTRACT OF THE FINAL SENIORITY LIST OF DY. TAHSILDARS FOR THE PERIOD FROM 08/03/93 TO 31/12/94.

EXT.P.5: RELEVANT EXTRACT OF THE PROVISIONAL INTEGRATED LDC/VA SENIORITY LIST AS ON 10/09/1984.

EXT.P.6: RELEVANT EXTRACT OF STATEWISE PROVISIONAL SENIORITY LIST OF UDC/SVO FOR THE PERIOD FROM 10/09/1984 TO 28/02/1988.

EXT.P.7: RELEVANT EXTRACT OF STATEWISE PROVISIONAL SENIORITY LIST OF HC/RI FOR THE PERIOD FROM 10/09/1984 TO 31/12/1998.

EXT.P.8: RELEVANT EXTRACT OF THE PROVISIONAL SENIORITY LIST OF DEPUTY TAHSILDARS FOR THE PERIOD FROM 08/03/93 TO 31/12/1997.

EXT.P.9: COPY OF THE OBJECTION DT. 15/11/1999 FILED BY THE PETITIONER TO THE R.2.

EXT.P.10: COPY OF THE PROCEEDINGS NO. LR (T) 1-3143/99 DT. 18/05/2000 OF THE R.2.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.24194 OF 2000

Dated this the 29th day of October, 2007

JUDGMENT

Following Ext.P1 judgment, Ext.P2 order was issued fixing the seniority of the petitioner in the L.D. cadre with effect from 18.4.1974. With the passage of time, the question of integration of the revenue of the village staff came up and the Division Bench of this Court, by judgment dated 14.9.1999 in O.P.22276/98, directed the preparation of a fresh seniority list of U.D.C./V.O. and L.D.C./V.A. as on 10.9.1984. By Ext.P10, the Commissioner of land revenue concluded that the petitioner was actually holding the post of L.D.C. as on 10.9.1984 and therefore, not eligible to get U.D.C./V.O. prior to 10.9.1984, following the principles laid down by this Court in the aforesaid judgment reported in **O.Kuttikrishnan** v. **State of Kerala** [ILR 2000 (3) Kerala 1]. Not only that, the petitioner has since retired in 2001.

In the aforesaid circumstances, I do not find any reason to extend extra ordinary jurisdiction of this Court under Article 226 of the Constitution of India in relation to the petitioner. The writ petition fails. The same is accordingly dismissed. No costs.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.24194 OF 2000

JUDGMENT

29th OCTOBER, 2007.

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